ter ticket is not salable or transferable was the opinion in *Purcell v. Daly*, 19 Abb. N. Cas. 301. But that a railroad ticket, on the other hand, is transferable was held by the court of appeals in *Tryoler's Case*, 157 N. Y. 116, and by the U. S. Supreme Court in *Hudson* v. *Kansas Pac. R. Co.*, 3 McCrary 249.

STATUTE OF FRAUDS—REFORMATION OF LEASE—SPECIFIC PERFORMANCE.—BUTLER V. THRELKELD ET AL., 90 N. W. 584 (Iowa).—By mutual mistake, an oral agreement giving lessee an option to buy was omitted from a lease for five years. *Held*, that notwithstanding the Statute of Frauds, a court of equity may correct the lease and enforce it as reformed.

Although regarding this as an indirect enforcement of an oral agreement for the sale of land and a virtual repeal of the Statute of Frauds, the learned judge feels constrained to follow an early and decisive Iowa case and the prevailing American doctrine. *Ring v. Ashworth*, 3 Iowa 452; *Gillespie* v. *Moon*, 2 Johns. Ch. 585; *Schwass* v. *Hershey*, 125 Ill. 653; *Strickland* v. *Barber*, 76 Mich. 310; *Bispham, Prin. Eq.*, Sec. 382. The English rule, followed by many authorities in the United States, admits parol evidence to defeat specific performance, but will not enforce a parol variation. *Townshend v. Stangroom*, 6 Ves. 328; *Elder v. Elder*, 10 Me. 80; *Pierce v. Colcord*, 113 Mass. 372; 24 *Am. Law. Reg.* 81.

TAXATION—EDUCATIONAL INSTITUTIONS—OPERA HOUSE TAX.—MARKHAM V. SOUTHERN CONSERVATORY OF MUSIC, 41 S. E. 531 (N. C.).—Under a law taxing opera houses, but exempting entertainments for educational objects the sheriff endeavored to collect taxes from the defendant, which gave public musical entertainments, charging an admission fee. *Held*, that the defendant was exempt from taxation.

While the fee charged for admission to concerts given by a school of music was for the purpose of defraying the expenses of the entertainment, no profits being realized, still it is not clear how that fact in itself renders a musical entertainment solely educational. From an educational standpoint, this attempted distinction between the opera and a school concert seems at best very artificial.

TRADE NAME—MISLEADING PUBLIC—RIGHT TO TRADE UNDER OWN NAME.—J AND J. CASH LIMITED V. JOSEPH CASH, 86 Law Times Rep. 211 (Eng.).—The defendant sold out to the plaintiff company and became one of its directors. He retired as director, and set up in the same class of business at the same place as Joseph Cash & Co. *Held*, plaintiff could not be restrained from carrying on trade is his own name, but he must take reasonable precaution to clearly distinguish his goods from those of the plaintiff, and to prevent the public from being led into the belief that his business was that of the plaintiff.

The lower court restrained defendant from selling frilling under the name of Cash, but this court was of the opinion that the order went too far, and modified it. Williams L. J. said that there never had been a case yet where a man has been restrained altogether from carrying on a particular trade in his own name. Every decision has been limited to restraining him from carrying on a trade, the products of which when used in connection with a particular trade name, have become identified with the business of another person, without taking such steps as any honest man would wish to